IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.49330 of 2008
1. BRAJENDRA RAI
2. Ashok Rai
3. Surendra Rai
Versus
STATE OF BIHAR
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2. 10.12.2008 Heard Mr. Amir Alam, learned counsel for the petitioners and Mr. Dashrath Mehta Learned A.P.P.

The three petitioners are in custody in a Sessions Case on account of their bonds being cancelled. The Court had fixed a particular date for hearing a petition under sections 227 and 228 of the Code of Criminal Procedure and the Court was not inclined to pass an order on the petition or framing of charges. The Court took a view that the petitioners inspite of an earlier direction issued to them on previous date avoided intentionally to appear so as not to allowing to finally dispose of the petition under section 227 of the Code of Criminal Procedure and further allowed the court to proceed under section 228 of the Code of Criminal Procedure. The bonds of the petitioners, as indicated, was cancelled and this is how the petitioners are in custody. The two petitioners Brajendra Rai and Ashok Rai are in custody since 22.10.2008 whereas Surendra Rai is in jail since 15.11.2008. It is contended that charges have been framed.

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Let three petitioners named above be released on bail on furnishing bail bond of Rs.5,000/-(Five thousand) each with two sureties of the like amount each to the satisfaction of the Addl. District Judge, Fast Track Court No.4, Samastipur, in connection

with Sessions Trial No.80 of 2005 arising out of Patory P.S. case no.68 of 2001.

(Dharnidhar Jha,J)

sudip

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